

By: Nevárez

H.B. No. 2405

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the notice given by a property owner prohibiting a
3 concealed handgun license holder from carrying a handgun on certain
4 property.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 30.06, Penal Code, is amended by
7 amending Subsection (c) and adding Subsections (c-1) and (c-2) to
8 read as follows:

9 (c) In this section:

10 (1) "Entry" has the meaning assigned by Section
11 30.05(b).

12 (2) "License holder" has the meaning assigned by
13 Section 46.035(f).

14 (3) "Written communication" means a sign posted in
15 accordance with rules adopted by the public safety director of the
16 Department of Public Safety under Subsection (c-1) [+

17 ~~[(A) a card or other document on which is written~~
18 ~~language identical to the following: "Pursuant to Section 30.06,~~
19 ~~Penal Code (trespass by holder of license to carry a concealed~~
20 ~~handgun), a person licensed under Subchapter H, Chapter 411,~~
21 ~~Government Code (concealed handgun law), may not enter this~~
22 ~~property with a concealed handgun"; or~~

23 ~~[(B) a sign posted on the property that:~~

24 ~~[(i) includes the language described by~~

1 ~~Paragraph (A) in both English and Spanish;~~
2 ~~[(ii) appears in contrasting colors with~~
3 ~~block letters at least one inch in height; and~~
4 ~~[(iii) is displayed in a conspicuous manner~~
5 ~~clearly visible to the public].~~

6 (c-1) The public safety director of the Department of Public
7 Safety shall adopt rules regarding the content, size, and other
8 characteristics of signs to be posted on a building or other
9 property where the property owner seeks to prohibit a license
10 holder from carrying a handgun. The rules must require the sign to:

11 (1) contain a pictogram that shows, on a white
12 background, a handgun drawn in black ink within a red circle and a
13 diagonal red line across the handgun;

14 (2) contain language that must include the following:
15 "Section 30.06, Penal Code";

16 (3) be a readable and conspicuous size but not larger
17 than 8.5 inches by 11 inches;

18 (4) be posted at each exterior entrance that is open to
19 the public;

20 (5) be posted in a conspicuous manner clearly visible
21 to the public;

22 (6) not be obstructed or altered in any way; and

23 (7) be immediately replaced by the property owner if
24 the sign becomes illegible.

25 (c-2) The Department of Public Safety shall make available
26 on the department's Internet website a printable electronic copy of
27 a sign that complies with the rules adopted under Subsection (c-1).

1 SECTION 2. The public safety director of the Department of
2 Public Safety shall adopt the rules prescribing the content, size,
3 and other characteristics of the sign described by Section
4 30.06(c-1), Penal Code, as added by this Act, and, not later than
5 December 1, 2015, make a printable electronic copy of the sign
6 available on the department's Internet website as required by
7 Section 30.06(c-2), Penal Code, as added by this Act.

8 SECTION 3. The change in law made by this Act applies only
9 to an offense committed on or after January 1, 2016. An offense
10 committed before January 1, 2016, is governed by the law in effect
11 on the date the offense was committed, and the former law is
12 continued in effect for that purpose. For purposes of this section,
13 an offense was committed before January 1, 2016, if any element of
14 the offense occurred before that date.

15 SECTION 4. This Act takes effect September 1, 2015.